

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE: REFCO INC. SECURITIES LITIGATION

MDL-1902 (GEL)

MARC S. KIRSCHNER,  
As Trustee of the Private Actions Trust,

Case No. 07 Civ. 8165 (GEL)

Plaintiff,

Judge Gerard E. Lynch

vs.

ECF FILED

PHILLIP R. BENNETT, SANTO C. MAGGIO,  
ROBERT C. TROSTEN, MAYER, BROWN,  
ROWE & MAW LLP, GRANT THORNTON  
LLP, and ERNST & YOUNG LLP,

**RULE 7.1 STATEMENT OF  
ERNST & YOUNG LLP**

Defendants.

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, the undersigned counsel for defendant Ernst & Young LLP ("EY") (a private non-governmental party) represents that EY has no publicly held affiliates.

Dated: June 6, 2008

Respectfully submitted,

**LATHAM & WATKINS LLP**

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